

Message Text

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ACTION ARA-10

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AMEMBASSY KINGSTON
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AMEMBASSY LONDON
AMEMBASSY OTTAWA

C O N F I D E N T I A L GEORGETOWN 0996

LIMDIS

E.O. 11652: GDS
TAGS: PINT, PGOV, GY
SUBJECT: GOG MOVES TO ADOPT NEW CONSTITUTION

REF: GEORGETOWN 576 (NOTAL

1. FOR SEVERAL WEEKS RUMORS HAVE BEEN CIRCULATING IN GEORGETOWN THAT THE GOVERNMENT OF PRIMIN BURNHAM, FACED WITH THE CONSTITUTIONAL NECESSITY OF HOLDING NEW PARLIAMENTARY ELECTIONS DURING 1978, WOULD INSTEAD PRESS FOR THE ADOPTION OF A NEW CONSTITUTION. ACCORDING TO THESE REPORTS A NEW DRAFT CONSTITUTION WAS TO BE PRESENTED TO THE PEOPLE IN THE FORM OF A REFERENDUM AND, ASSUMING ITS ADOPTION, WOULD BECOME THE NEW FUNDAMENTAL LAW OF GUYANA AND OBVIATE THE NECESSITY OF PARLIAMENTARY ELECTIONS THIS YEAR.

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2. IN THE GOVERNMENT CONTROLLED MEDIA ON APRIL 3 IT WAS ANNOUNCED THAT BURNHAM WOULD MOVE TO TABLE TODAY BEFORE THE NATIONAL ASSEMBLY DRAFT LEGISLATION PAVING THE WAY FOR THE NEW CONSTITUTION. IN THE ARTICLE ANNOUNCING THE GOVERNMENT'S MOVE IN THE GUYANA CHRONICLE, THE PRIME MINISTER IS QUOTED AS SAYING:"THE EXISTING CONSTITUTION IS TOO RIGIDLY ROOTED IN THE STRUCTURES OF THE COLONIAL PAST TO SERVE AS AN EFFICIENT VEHICLE FOR TRANSFORMING THE SOCIETY INTO THE KIND

OF SOCIETY IT NEEDS TO BECOME IF IT IS TO SURVIVE IN THE MODERN WORLD.

"IT IS NECESSARY TO ADOPT A NEW CONSTITUTION MORE REFLECTIVE OF THE NATIONAL ETHOS. THIS BILL SEEMS TO FACILITATE THE INTRODUCTION OF SUCH A CONSTITUTION."

3. UNLIKE THE RUMORS WE HAD HEARD IT NOW APPEARS THE GOVERNMENT WILL IN THE FIRST INSTANCE SEEK TO MODIFY ARTICLE 73 OF THE EXISTING CONSTITUTION (THIS IS THE KEY ARTICLE OF THE PRESENT CHARTER HAVING TO DO WITH CONSTITUTIONAL CHANGE). ASSUMING ITS PASSAGE BY TWO-THIRDS

OF THE PARLIAMENT-A CERTAINTY GIVEN THE GOVERNMENT'S OVER TWO-THIRDS CONTROL OF THAT BODY-A THE MODIFICATION OF THIS ARTICLE WILL THEN BE PRESENTED TO THE ELECTORATE FOR POPULAR APPROVAL IN THE FORM OF A REFERENDUM. IF ADOPTED REVISED ARTICLE 73 WOULD THUS ENABLE THE PNC-CONTROLLED PARLIAMENT TO ADOPT A NEW CONSTITUTION BY A SIMPLE 2/3 VOTE (WITHOUT ADDITIONAL REFERENCE TO THE ELECTORATE). THUS THE POPULACE WOULD IN EFFECT BE GIVING THE GOVERNMENT CARTE BLANCHE AUTHORITY TO INTRODUCE AND ADOPT A NEW CONSTITUTION WITH ITS FORM AND SUBSTANCE NOT NECESSARILY SPECIFIED.

4. COMMENT: DEBATE ON THE DRAFT LEGISLATION TO CHANGE ARTICLE 73 IS SCHEDULED FOR THE WEEK OF APRIL 10. THE TONE AND SIGNIFICANCE OF THIS DEBATE WILL DEPEND ENTIRELY ON THE ATTITUDE TAKEN BY CHEDDI JAGAN'S OPPOSITION PARTY,
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THE PPP, TO THE PROPOSAL. IT HAS BEEN WIDELY RUMORED THAT THE PRIME MINISTER WAS OFFERING, BEHIND THE SCENES, TO THE OPPOSITION THE PROSPECT OF A GOVERNMENT OF NATIONAL UNION UNDER HIS NEW DRAFT CONSTITUTION. IF SUCH A DEAL HAS BEEN OFFERED AND ACCEPTED BY THE PPP, THEN THE DEBATE OVER THE CHANGE IN ARTICLE 73 WILL BE PERFUNCTORY AND PRO FORMA. HOWEVER, IF JAGAN AND HIS COLLEAGUES ARE NOT PARTIES TO ANY PRIVATE DEAL WITH THE PNC, THEN PARLIAMENTARY DEBATE ON THIS CONSTITUTIONAL CHANGE WOULD BE LIVELY AND ACrimonious. EMBASSY HAS FELT FOR SOMETIME THAT IT WAS UNLIKELY THAT GOVERNMENT WOULD PROCEED WITH THE REQUIRED PARLIAMENTARY ELECTIONS THIS YEAR. IN RECENT MONTHS BURNHAM'S POPULARITY HAS BEEN SERIOUSLY ERODED DUE TO A SEVERE ECONOMIC CRISIS, AND A SHARP DETERIORATION IN THE QUALITY OF LIFE THROUGHOUT THE COUNTRY WHICH HAS MANIFESTED ITSELF IN THE FORM OF FREQUENT ELECTRICAL POWER FAILURES, CHRONIC SHORTAGES OF BASIC NECESSITIES, SUCH AS SOAP, MEDICINES, AND CERTAIN FOODSTUFFS, AND HEAVY LAYOFFS IN THE PUBLIC SECTOR. HOLDING PARLIAMENTARY ELECTIONS AGAINST SUCH A DISMAL BACKDROP WOULD VERY LIKELY HAVE LED TO EITHER (1) A DEFEAT FOR THE RULING PNC, OR (2) RESORT BY THE GOVERNMENT TO EXTENSIVE AND PROBABLY

OUTRAGEOUS RIGGING TO ASSURE VICTORY. FACED WITH SUCH
UNATTRACTIVE OPTIONS BURNHAM AND HIS COLLEAGUES NOW
APPEAR TO BE MOVING ON THE ONLY POSSIBLE COURSE AVAILABLE
TO THEM WHICH MIGHT PROVIDE FOR THE CONTINUANCE OF THE
PNC IN POWER UNDER A FACADE OF LEGITIMACY.
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